

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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PERRY CIRAULU, Individually and on Behalf :
of All Others Similarly Situated, :

Plaintiffs, :

vs. :

AMERICAN REALTY CAPITAL :
PROPERTIES, INC., NICHOLAS S. :
SCHORSCH, DAVID S. KAY, BRIAN :
BLOCK, and LISA MCALISTER, :

Defendants. :

No. 1:14-cv-08659-AKH

CLASS ACTION

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BERNARD PRIEVER, Individually and on :
Behalf of All Others Similarly Situated, :

Plaintiff, :

vs. :

AMERICAN REALTY CAPITAL :
PROPERTIES, INC., LISA P. MCALISTER :
and BRIAN S. BLOCK, :

Defendants. :

No. 1:14-cv-08668-AKH

CLASS ACTION

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**NOTICE OF MOTION OF THE INSTITUTIONAL INVESTOR GROUP FOR
CONSOLIDATION, APPOINTMENT AS LEAD PLAINTIFF,
AND APPROVAL OF SELECTION OF COUNSEL**

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STUART RUBINSTEIN, Individually and on	:	No. 1:14-cv-08669-AKH
Behalf of All Others Similarly Situated,	:	
	:	<u>CLASS ACTION</u>
Plaintiffs,	:	
	:	
vs.	:	
	:	
AMERICAN REALTY CAPITAL	:	
PROPERTIES, INC., BRIAN S. BLOCK, LISA	:	
MCALISTER and NICHOLAS S. SCHORSCH,	:	
	:	
Defendants.	:	
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KEVIN PATTON, Individually and on Behalf	:	No. 1:14-cv-08671-AKH
of All Others Similarly Situated,	:	
	:	<u>CLASS ACTION</u>
Plaintiff,	:	
	:	
vs.	:	
	:	
AMERICAN REALTY CAPITAL	:	
PROPERTIES, INC., DAVID S. KAY,	:	
NICHOLAS S. SCHORSCH, BRIAN S.	:	
BLOCK, and LISA P. MCALISTER,	:	
	:	
Defendants.	:	
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JAMES W. EDWARDS, JR., Individually and	:	No. 1:14-cv-08721-AKH
on Behalf of All Others Similarly Situated,	:	
	:	<u>CLASS ACTION</u>
Plaintiff,	:	
	:	
vs.	:	
	:	
AMERICAN REALTY CAPITAL	:	
PROPERTIES, INC., NICHOLAS S.	:	
SCHORSCH, DAVID S. KAY, BRIAN S.	:	
BLOCK and LISA PAVELKA MCALISTER,	:	
	:	
Defendants.	:	
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BERNEY HARRIS, Individually and on Behalf of All Others Similarly Situated,	:	No. 1:14-cv-08740-AKH
	:	
	:	<u>CLASS ACTION</u>
Plaintiffs,	:	
	:	
vs.	:	
	:	
AMERICAN REALTY CAPITAL PROPERTIES, INC., NICHOLAS S. SCHORSCH, BRIAN S. BLOCK, DAVID S. KAY and LISA MCALISTER,	:	
	:	
Defendants.	:	

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SIMON ABADI, Individually and on Behalf of All Others Similarly Situated,	:	No. 1:14-cv-09006-AKH
	:	
	:	<u>CLASS ACTION</u>
Plaintiff,	:	
	:	
vs.	:	
	:	
AMERICAN REALTY CAPITAL PROPERTIES, INC., NICHOLAS S. SCHORSCH, DAVID S. KAY, PETER M. BUDKO, BRIAN S. BLOCK, LISA E. BEESON, WILLIAM M. KAHANE, EDWARD M. WEIL, JR., LESLIE D. MICHELSON, EDWARD G. RENDELL, and SCOTT J. BOWMAN,	:	
	:	
Defendants.	:	

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THE CITY OF TAMPA GENERAL
EMPLOYEES RETIREMENT FUND,
Individually and on Behalf of All Others
Similarly Situated,

Plaintiffs,

vs.

AMERICAN REALTY CAPITAL
PROPERTIES, INC., NICHOLAS S.
SCHORSCH, DAVID S. KAY, BRIAN
BLOCK, PETER M. BUDKO, EDWARD M.
WEIL, JR., BRIAN D. JONES, WILLIAM M.
KAHANE, EDWARD G. RENDELL,
WALTER P. LOMAX, JR., LESLIE D.
MICHELSON, SCOTT J. BOWMAN,
MERRILL LYNCH, PIERCE, FENNER &
SMITH INC., CITIGROUP GLOBAL
MARKETS INC., BARCLAYS CAPITAL
INC., J.P. MORGAN SECURITIES INC.,
CREDIT SUISSE SECURITIES (USA) LLC,
DEUTSCHE BANK SECURITIES INC.,
WELLS FARGO SECURITIES, LLC,
ROBERT W. BAIRD & CO. INC.,
LADENBURG THALMANN & CO. INC.,
BMO CAPITAL MARKETS CORP., JMP
SECURITIES LLC, JANNEY
MONTGOMERY SCOTT LLC, MIZUHO
SECURITIES USA INC., PNC CAPITAL
MARKETS LLC, PIPER JAFFRAY & CO., and:
RBS SECURITIES INC.,

Defendants.
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No. 1:14-cv-10134-AKH

CLASS ACTION

TO: ALL PARTIES AND THEIR COUNSEL OF RECORD

PLEASE TAKE NOTICE that proposed Lead Plaintiffs Union Asset Management Holding AG, KBC Asset Management NV, and Sheet Metal Workers' National Pension Fund together (the "Institutional Investor Group"), will move this Court pursuant to § 21D(a)(3)(B) of the Securities Exchange Act of 1934, 15 U.S.C. § 78u-4(a)(3)(B), on a date and at such time as may be designated by the Court, at 500 Pearl Street, New York, NY 10007, for an order: (1) consolidating all related actions pursuant to Federal Rule of Civil Procedure 42(a); (2) appointing the Institutional Investor Group as Lead Plaintiff pursuant to the Private Securities Litigation Reform Act of 1995; and (3) approving the Institutional Investor Group's selection of Motley Rice LLC as Lead Counsel for the proposed class. In support of this Motion, the Institutional Investor Group submits the accompanying Memorandum of Law, Declaration of Rebecca M. Katz and exhibits attached thereto, and [Proposed] Order.

DATED: December 29, 2014

Respectfully submitted,

MOTLEY RICE LLC

s/ Rebecca M. Katz

Rebecca M. Katz

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dabel@motleyrice.com

Counsel for Proposed Lead Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on December 29, 2014, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send a Notice of Electronic Filing to all counsel of record.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on December 29, 2014.

s/ Rebecca M. Katz

Rebecca M. Katz

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